

REMARKS

Applicant appreciates the Examiner's attention to the above referenced application. Claims 1, 4, 6, 7, 10, 12, 13 and 17-23 were rejected. Claims 19, 21, and 23 have been cancelled. Claims 1, 7, and 13 have been amended. Claims 1, 4, 6, 7, 10, 12, 13, 17, 18, 20, and 22 are now pending, of which claims 1, 7, and 13 are independent.

35 USC § 103 Rejection of the Claims

Claims 1, 4, 6, 7, 10, 12, 13 and 17-23 were rejected under 35 USC § 103(a) as being unpatentable over Melo et al. (Viewpoint Independent Detection of Vehicle Trajectories and Lane Geometry) in view of Reno et al. (Learning Surveillance Tracking Models for the Self Calibrated Ground Plane) further in view of Sawhney et al. (US Publication No. 2001/0043738). Applicants respectfully traverse this rejection, which should be withdrawn for at least the reasons set forth herein.

Applicants have amended independent claims 1, 7, and 13 to include the limitations of now-canceled claims 19, 21, and 23, respectively. The Office Action cites Sawhney paragraphs [0076-0080] as teaching the limitations of claims 19, 21, and 23. Applicants respectfully disagree.

The relevant portion of independent claim 1 now reads, "estimating road boundaries of the 3D scene using a background image and the positions of the objects by filling a uniform color region starting from a foot of a position of an object of the objects and stopping when an edge pixel of the background image is reached." Independent claims 7 and 13 have been amended to include substantially similar limitations.

The cited portion of Sawhney does not discuss "filling a uniform color region." Applicants have searched the text of the Sawhney reference and find that the only portions using the term "color" describe "projecting a plurality of color values of the image onto the three dimension model of the scene to update a texture of a surface of the three dimensional model." (See e.g., Sawhney, page 10, claim 16.) Applicants do not understand updating a texture of the surface of the three dimensional model to describe "estimating road boundaries of the 3D scene using a background image and the positions of the objects by filling a uniform color region

starting from a foot of a position of an object of the objects and stopping when an edge pixel of the background image is reached,” as now required by amended independent claims 1, 7, and 13. Because the cited combination of references does not teach all of the limitations of the independent claims, Applicants respectfully request that independent claims 1, 7, and 13, and their respective dependent claims, be allowed to pass to issuance.

CONCLUSION

Applicant respectfully requests reconsideration in view of the remarks and amendments set forth above. If the Examiner has any questions, the Examiner is encouraged to contact the undersigned at (512) 732-1303. Please charge any shortage of fees in connection with the filing of this paper, including extension of time fees, to Deposit Account 50-0221 and please credit any excess fees to such account.

Respectfully submitted,

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